

**United States Court of Appeals
for the Eleventh Circuit**

IRA KLEIMAN, as the Personal
Representative of the Estate of
David Kleiman,

Appellant,

Case No. 22-11150

v.

CRAIG WRIGHT

Appellee.

_____/

**APPELLEE’S RESPONSE TO APPELLANT’S
CIVIL APPEAL STATEMENT**

Pursuant to 11th Cir. R. 33-1(a)(1), Appellee Dr. Craig Wright (“Dr. Wright”), files this response to Appellant’s Civil Appeal Statement. As set forth below, the Civil Appeal Statement misstates the outcome of the case in the District Court and the posture of this appeal. Appellant should be required to correct and re-file the Civil Appeal Statement in accordance with the following:

1. The Appellant here is Ira Kleiman, as the Personal Representative of the Estate of David Kleiman (“the Estate”).

2. The Estate did not prevail on any count at trial in the District Court and did not receive any award. *See* Am. Final J. (Mar. 9, 2022), *attached herein as*

Exhibit A; Verdict Form (Dec. 6, 2021), *attached herein as Exhibit B*.¹

3. Accordingly, Appellant’s statement in the “Relief” section of the Civil Appeal Statement—that the “Plaintiff/Appellant” here was awarded \$144,000,000 in the District Court—is false.

4. The figure under the heading “Awarded” in the “Relief” section of the Civil Appeal Statement should be zero.

Accordingly, the Estate should be required to correct and re-file the Civil Appeal Statement in accordance with the jury’s verdict and the Final Judgment in the District Court.

Date: May 4, 2022

Respectfully submitted,

By: /s/ Andres Rivero
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¹ As evidenced by the Final Judgment and Verdict Form, a co-plaintiff below, W&K Info Defense Research LLC, did prevail on a single claim. But that party is not a “Plaintiff/Appellant” in this action, having failed to notice any appeal or cross-appeal.

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CERTIFICATE OF SERVICE

I CERTIFY that on May 4, 2022, I electronically filed this document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record via transmission of Notices of Electronic Filing generated by CM/ECF.

/s/ Andres Rivero